

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GTECH CORPORATION,

Plaintiff,

v.

SCIENTIFIC GAMES INTERNATIONAL, INC.,
SCIENTIFIC GAMES HOLDINGS
CORPORATION, SCIENTIFIC GAMES
FINANCE CORPORATION, and SCIENTIFIC
GAMES CORPORATION,

Defendants.

Civil Action No. 04-138-JJF

**GTECH'S OPPOSITION TO DEFENDANTS'
MOTION TO STRIKE GTECH'S REPLY BRIEF REGARDING
ITS MOTION FOR RECONSIDERATION OF THE COURT'S JUNE 14TH
ORDER GRANTING DEFENDANTS' MOTION TO PRECLUDE GTECH
FROM ASSERTING NEW CLAIMS**

Scientific Games' motion to strike should be denied. The basis of Scientific Games' motion is its contention that GTECH submitted a Reply Brief where none was allowed, without leave of Court. This contention is not correct.

GTECH filed its Reply Brief (D.I. 98) *pursuant to the Court's Order that it do so*. As noted in GTECH's Reply Brief (*see* D.I. 98 at fn. 1), on July 17, 2005, at 12:33 pm, the Court's CM/ECF Notice of Docket Text Entry (*see* Ex. A) ordered that GTECH submit a Reply Brief on the pending motion and asked that that brief be submitted the next day. In compliance with the Order, GTECH submitted a Reply Brief on July 18, 2005. No similar order for a reply brief has issued in this case, despite other briefing on other motions, nor is GTECH's counsel aware of such orders being issued as a matter of course in other cases.

Scientific Games knew of the Court's July 17, 2005 CM/ECF Order for a Reply Brief – notice of the Order was electronically mailed to Scientific Games' counsel (*see* Ex. A). Counsel

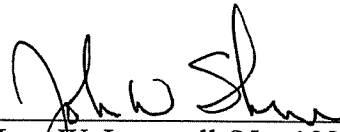
for GTECH also specifically pointed out that Order to Scientific Games before Scientific Games filed its motion to strike. Nevertheless, Scientific Games ignores that Order in its motion.

Even if the Court had not requested that a Reply Brief be filed, GTECH would have filed a motion for leave to file such a Reply Brief to address and clarify certain facts and issues that were misrepresented in Scientific Games' opposition brief (D.I. 97). Those facts and issues have been discussed in detail in GTECH's Reply Brief (D.I. 98) and GTECH respectfully submits that the Court consider it in connection with the pending motion and deny Scientific Games' motion to strike.

CONCLUSION

Accordingly, based on the foregoing, Defendants' motion to strike should be denied and GTECH Reply Brief should be considered on the pending motion for reconsideration (D.I. 91).

YOUNG, CONAWAY, STARGATT
& TAYLOR, LLP



Josy W. Ingersoll (No. 1088)
John W. Shaw (No. 3362)
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, Delaware 19889
(302) 571-6600
jshaw@ycst.com

Attorneys for Plaintiff GTECH Corporation

OF COUNSEL:

Thomas J. Meloro
Larissa A. Soccoli
Andrew L. Reibman
KENYON & KENYON
One Broadway
New York, New York 10004
Telephone: (212) 425-7200
Facsimile: (212) 425-5288

Douglas E. Ringel
KENYON & KENYON
1500 K Street NW
Washington, DC 20005
Telephone: (202) 220-4200
Facsimile: (202) 220-4201

Dated: July 26, 2005

EXHIBIT A

From: ded_nefreply@ded.uscourts.gov [mailto:ded_nefreply@ded.uscourts.gov]
Sent: Sunday, July 17, 2005 12:34 PM
To: ded_ecf@ded.uscourts.gov
Subject: Activity in Case 1:04-cv-00138-JJF Gtech Corporation v. Scientific Games Int, et al "Set Briefing Schedule"

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U.S. District Court

District of Delaware

Notice of Electronic Filing

The following transaction was received from afb, entered on 7/17/2005 at 12:33 PM EDT and filed on 7/12/2005

Case Name: Gtech Corporation v. Scientific Games Int, et al

Case Number: 1:04-cv-138

Filer:

Document Number:

Docket Text:

Set Briefing Schedule for Sealed Motion (D.I. 91). Reply Brief due 7/18/2005. (afb,)

The following document(s) are associated with this transaction:

1:04-cv-138 Notice will be electronically mailed to:

Jack B. Blumenfeld jbbefiling@mnat.com

Josy W. Ingersoll jingersoll@ycst.com, corporate@ycst.com;cglover@ycst.com;corpcal@ycst.com

Karen Elizabeth Keller kkeller@ycst.com, corporate@ycst.com;corpcal@ycst.com

Maryellen Noreika menefiling@mnat.com

John W. Shaw jshaw@ycst.com, corporate@ycst.com;ptorterotot@ycst.com;corpcal@ycst.com

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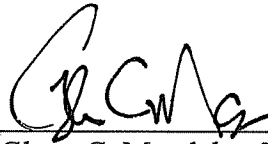
CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Jack B. Blumenfeld, Esquire
Morris, Nichols, Arsht & Tunnell
1201 N. Market Street
Wilmington, DE 19801

I further certify that on July 26, 2005, I caused a copy of the foregoing document to be served by hand-delivery on the above counsel of record:

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Glenn C. Mandalas (No. 4432)
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899-0391
(302) 571-6600
gmandalas@ycst.com

Attorneys for GTECH Corporation